

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
CASE NO. 5:16-CR-055-KDB-DCK**

UNITED STATES OF AMERICA,

Plaintiff,

v.

NORBERTO MACEDO, JR,

Defendant.

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ORDER

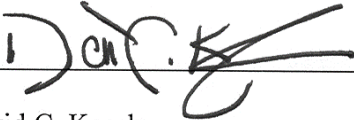
THIS MATTER IS BEFORE THE COURT on the “Motion For Temporary Humanitarian Release” (Document No. 40 in 5:16-CR-055; Document No. 263 in 3:22-CR-112) filed February 1, 2023 by Defendant in both of these cases. The Court is sympathetic to Defendant’s circumstances, but respectfully must deny the motions.

Defendant has an understandable desire to attend the funeral of his younger brother scheduled for Saturday, February 4, 2023. Defendant was previously ordered detained by Judge David Cayer (Document No. 37 in 5:16-CR-055; Document No. 65 in 3:22-CR-112). Defendant’s current federal drug conspiracy case carries the presumption of detention. He was indicted in this newest case while on supervised release in a previous federal drug case. He also has a prior armed robbery conviction. The Government is opposed to his temporary release, and the Marshals Service does not have sufficient manpower to accompany Defendant to his brother’s funeral. These are heartbreaking circumstances, but release is simply not possible. The Court does not believe that a hearing would aid the Court in deciding this matter.

IT IS, THEREFORE, ORDERED that the “Motion For Temporary Humanitarian Release” (Document No. 40 in 5:16-CR-055; Document No. 263 in 3:22-CR-112) is **DENIED**.

SO ORDERED.

Signed: February 1, 2023



David C. Keesler
United States Magistrate Judge

